

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

TIMOTHY JAMES HALEY, #2095422	§	
VS.	§	CIVIL ACTION NO. 6:18cv430
DIRECTOR, TDCJ-CID	§	

ORDER OF DISMISSAL

Petitioner Timothy James Haley, a prisoner confined at the Skyview/Hodge prison complex within the Texas Department of Criminal Justice (TDCJ) proceeding *pro se*, filed this federal petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging a judgment of conviction from Anderson County, Texas. The petition was referred to United States Magistrate Judge, the Honorable K. Nicole Mitchell, for findings of fact, conclusions of law, and recommendations for the disposition of the petition.

On October 16, 2020, Judge Mitchell issued a Report, (Dkt. #24), recommending that Petitioner's federal habeas petition be denied and Petitioner be denied a certificate of appealability *sua sponte*. After being granted an extension of time, Petitioner has filed timely objections, (Dkt. #29).

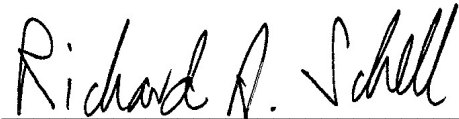
The court has conducted a *de novo* review of the record and the Magistrate Judge's proposed findings and recommendations. See 28 U.S.C. §636(b)(1) (District Judge shall "make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made."). Upon such *de novo* review, the court has determined that the Report of the United States Magistrate Judge is correct and Petitioner's objections are without merit. Accordingly, it is

**ORDERED** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. #24), is **ADOPTED** as the opinion of the court. Petitioner's objections, (Dkt. #29), are **OVERRULED**. It is further

**ORDERED** that Petitioner's federal habeas petition is **DENIED** and this civil action is **DISMISSED** with prejudice. Petitioner's motion for certificate of appealability (Dkt. #30) is also **DENIED**. Finally, it is

**ORDERED** that any and all other motions which may be pending in this civil action are hereby **DENIED**.

**SIGNED this the 2nd day of December, 2020.**

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE